



19 MAY 2009

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Ivor R Elrifi
Mintz Levin Cohn Ferris Glovsky and Popeo
One Financial Center
Boston, MA 02111

In re Application of	:
WU et al.	:
U.S. Application No.: 10/566,150	:
PCT No.: PCT/US04/24339	:
Int. Filing Date: 28 July 2004	: DECISION ON PETITION
Priority Date: 29 July 2003	:
Attorney Docket No.: 26505-526NATL	:
For: PROCESS FOR THE SYNTHESIS OF BIARYL OXAZOLIDINONES	:

In a decision mailed by this Office on 12 February 2009, applicants' petition to withdraw the holding of abandonment herein was dismissed without prejudice for failure to satisfy the requirements of a grantable petition. Specifically, applicants had not provided a statement that the docketing system is sufficiently reliable.

On 20 March 2009, applicants filed the renewed petition considered herein. The renewed petition includes: a statement that the Form PCT/DO/EO/905 was never received; explained that a search of the file jacket and application contents revealed that the Form PCT/DO/EO/905 had not been received; and included a copy of the relevant docket record (and a mail log). Further, applicants have provided a statement describing the firm's docketing system and that the docketing system is sufficiently reliable.

Applicants have now satisfied all the requirements for a grantable petition to withdraw the holding of abandonment based on applicants' failure to receive the Notification Of Missing Requirements (Form PCT/DO/EO/905) mailed 25 February 2008.

The renewed petition for withdrawal of the holding of abandonment is GRANTED.

The Notification Of Abandonment (Form PCT/DO/909) mailed 07 November 2008, based as it was on applicants' failure to respond to a Notification Of Missing Requirements that applicants did not receive, is appropriately VACATED.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing including the issuance of a Notification of Missing

Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration along with the surcharge for filing the oath or declaration after the thirty-month period is required.



Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459